Appl. No. 09/754,947 Amdt. dated June 29, 2004 Response to Notice of Allowance June 4, 2004

**PATENT** 

## Amendment to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

## **Listing of Claims:**

1. (Previously amended) A method of specifically detecting the *Bacillus* anthracis surface array protein SEQ ID NO:1 in a test sample, the method comprising:

contacting a test sample with a first antibody that specifically binds to *Bacillus* anthracis surface array protein as set forth in SEQ ID NO:1, wherein the first antibody forms a complex with the surface array protein but does not form a complex with protein from non-anthracis Bacillus species present in the test sample; and

detecting the complex with a labeled second antibody that binds to the complex, wherein the detection of the complex is indicative of the presence of *Bacillus anthracis* in the test sample.

- 2. (Canceled)
- (Previously amended) The method of claim 1, wherein the *B. anthracis* present in the test sample is encapsulated.
  - 4. (Canceled)

(Previously presented) The method of claim 1, wherein the first or second antibody is a recombinantly produced antibody.

(Previously presented) The method of claim, wherein the first or second antibody is a recombinantly produced polyclonal antibody.

(Previously presented) The method of claim 1, wherein the first or second antibody is a monoclonal antibody.

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(Previously presented) The method of claim 1, wherein the second antibody binds to a different epitope of the surface array protein than does the first antibody.

20. (Canceled)

17-18. (Canceled)

Amdt. dated June 29, 2004 Response to Notice of Allowance June 4, 2004 (Previously amended) The method of claim 1, wherein the label of the labeled second antibody is selected from the group consisting of a radioactive label, a fluorophore, a dye, an enzyme, and a chemiluminescent label. (Previously amended) A kit for detecting the presence or absence of Bacillus anthracis in a sample, the kit comprising: a first antibody that specifically binds to the surface array protein set forth in SEQ ID NO:1 but does not bind to protein from non-anthracis Bacillus species; and a label. (Currently Amended) The kit of claim 22 34, wherein the solid support is a microtiter dish. 24. (Canceled) (Previously amended) The kit of claim 22, wherein the first antibody is a recombinant polyclonal antibody. (Previously amended) The kit of claim 22, wherein the first antibody is a monoclonal antibody. (Previously amended) The kit of claim 22, wherein the first antibody is a mixture of monoclonal and polyclonal antibody preparations. (Original) The kit of claim 22, wherein the kit further comprises written instructions for using the kit to determine whether a test sample contains B. anthracis. (Previously presented) The kit according to claim 22, wherein the kit further comprises a positive control that comprises a polypeptide that comprises an antigenic determinant of a B. anthracis surface array protein, wherein the antigenic determinant binds to

30-32. (Canceled.)

said first antibody.

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